

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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MICHAEL LEE CASTLE,

Petitioner,

v.

ISIDRO BACA, et al.,

Respondents.


Case No. 3:13-cv-00516-MMD-WGC

ORDER

Petitioner has submitted a motion to voluntarily dismiss petition for writ of habeas corpus (dkt. no. 16). Petitioner understands that this action is commenced years after the one-year period of limitation of 28 U.S.C. § 2244(d)(1) expired, that he could not establish equitable tolling, and that he could not establish a claim of actual innocence. The Court will grant petitioner's motion, and the Court will dismiss this action with prejudice because petitioner has admitted that the action is untimely.

It is therefore ordered that petitioner's motion to voluntarily dismiss petition for writ of habeas corpus (dkt. no. 16) is granted. This action is dismissed with prejudice as untimely. The Clerk of the Court shall enter judgment accordingly.

DATED THIS 7<sup>th</sup> day of April 2015.

  
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE